

PRELIMINARY ACTION AGENDA
THE CITY OF LAKE FOREST

Regular Meeting of the City Council
February 17, 2015

Lake Forest City Hall
25550 Commercentre Drive
Council Chambers
Lake Forest, California 92630

PRELIMINARY ACTION AGENDA: The listed Action represents a brief synopsis of the Council action. The Council Minutes, when approved, stand as the official record of the meeting. This Preliminary Action Agenda is provided as quick reference only and is <u>NOT</u> intended to serve as any form of the official record and should not be relied upon in making important decisions. Before making important decisions, you should review the approved minutes.
--

CALL TO ORDER:

7:06 p.m.

ROLL CALL: Council Members:

Dr. Jim Gardner
Adam Nick
Dwight Robinson
Andrew Hamilton
Scott Voigts

Mayor Pro Tem:
Mayor:

City Manager:
City Attorney:
City Clerk:

Robert C. Dunek
Matthew Richardson
Stephanie D. Smith

CLOSED SESSION

5:42 p.m.

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
Pursuant to Government Code Section 54956.9(d)(4)
Number of potential cases: 1

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:59 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:06 p.m. with all Members present to continue regular City business.

PUBLIC SESSION

INVOCATION: The Invocation was led by Father Bishoy Kamel of St. Marina Coptic Orthodox Church

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Mayor Voigts.

CLOSED SESSION REPORT: City Attorney Matthew Richardson reported a previously approved agreement relative to Code Enforcement action had been fully executed by all parties.

PRESENTATIONS:

2. PROCLAMATION DECLARING THE WEEK OF FEBRUARY 22, 2015, AS NATIONAL ENGINEERS WEEK.

ACTION: Approved the proclamation designating February 22 -28, 2015, as National Engineers Week in the City of Lake Forest.

3. PRESENTATION BY THE ORANGE COUNTY HUMAN RELATIONS COUNCIL

ACTION: Received and filed the report.

4. 2014 RESIDENT AND BUSINESS SURVEY

ACTION: Received presentation.

RECESS: City Council recessed at 7:55 p.m. for the purpose of conducting Housing Authority and Successor Agency business.

RECONVENE: City Council reconvened at 7:57 p.m. with all Members present to continue regular City business.

REPORT FROM STUDENT LIAISON: Joseph Hana, Student Liaison from El Toro High School presented his report.

At 8:02 p.m. Council Member Nick left the dais.

PUBLIC COMMENTS:

The following members of the public offered comment: Adam Nick, Merry Axelrod, Lynda Zimmer, Andrew O'Connor and Noreen Statler.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 5)

5. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer.

ACTION: On motion by Council Member Robinson and second by Mayor Voigts, the City Council approved the warrant register in the amount of \$2,614,172.96 as submitted. MOTION UNANIMOUSLY CARRIED WITH COUNCIL MEMBER NICK ABSENT

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 6 - 16)

ACTION: On motion by Council Member Robinson and second by Council Member Gardner, the City Council approved Consent Calendar Item Nos. 6 – 7, 10, 12-14 and 17. MOTION UNANIMOUSLY CARRIED WITH COUNCIL MEMBER NICK ABSENT.

6. WAIVE READING OF ORDINANCES AND RESOLUTIONS submitted by City Clerk.

ACTION: The City Council waived reading, by title only, of all Ordinances and Resolutions. Said Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.

7. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON JANUARY 20, 2015, submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

10. CITY FINANCIAL REPORTS - QUARTER ENDED DECEMBER 31, 2014

ACTION: The City Council received and filed the report.

12. APPROVAL OF FINAL TRACT MAP NO. 17533

ACTION: The City Council: 1. Adopted Resolution No. 2015-04 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING FINAL TRACT MAP NO. 17533, CREATING A 5-NUMBERED AND 4-LETTERED LOT SUBDIVISION FOR RESIDENTIAL CONDOMINIUM PURPOSES ON 17.036 ACRES LOCATED WITHIN THE AREA BOUNDED BY RANCHO PARKWAY SOUTH, ALTON PARKWAY, AND CATALINA 2. Approved the Subdivision Improvement Agreements with Shea Homes and Shea Baker Ranch Associates to construct the subdivision improvements associated with Final Tract Map No. 17533 and authorize the Mayor to execute and the City Clerk to attest the agreements. 3. Accepted the Subdivision Faithful Performance Bond and the Subdivision Labor and Materials Bond, both in the amount of \$708,584, the Subdivision Warranty Bond in the amount of \$70,858.40, and the Subdivision Monumentation Bond in the amount of \$20,000 from Shea Homes and accept the Subdivision Faithful Performance Bond and the Labor and Materials Bond, both in the amount of \$600,000, and the Subdivision Warranty Bond in the amount of \$60,000 from Shea Baker Ranch Associates, as surety for the construction of the subdivision improvements.

13. APPROVAL OF FINAL TRACT MAP NO. 17537

ACTION: The City Council: 1. Adopted Resolution No. 2015-05 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING FINAL TRACT MAP NO. 17537, CREATING A 102-NUMBERED AND 9-LETTERED LOT SUBDIVISION FOR SINGLE-FAMILY RESIDENTIAL PURPOSES ON 13.906 ACRES LOCATED AT THE SOUTHEAST CORNER OF ALTON PARKWAY AND MONARCH. 2. Approved the Subdivision Improvement Agreement with Shea Homes to construct the subdivision improvements associated with Final Tract Map No. 17537 and authorize the Mayor to execute and the City Clerk to attest the agreement. 3. Accepted the Subdivision Faithful Performance Bond and the Subdivision Labor and Materials Bond, both in the amount of \$361,672, the Subdivision Warranty Bond in the amount of \$36,167.20, and the Subdivision Monumentation Bond in the amount of \$51,000 from Shea Homes for the construction of the subdivision improvements.

14. BID DOCUMENTS FOR FLEET MAINTENANCE SERVICES

ACTION: The City Council: 1. Approved bid documents for fleet maintenance services. 2. Authorized staff to solicit bids for fleet maintenance services.

15. FIRST AMENDMENT TO AGREEMENT WITH DUDEK FOR CONSTRUCTION ADMINISTRATION AND CONSTRUCTION INSPECTION SERVICES

ACTION: The City Council: 1. Approved the First Amendment to the Agreement with Dudek for Construction Administration and Construction Inspection Services. 2. Authorized the Mayor to execute, and City Clerk to attest, the First Amendment to the Agreement with Dudek.

PULLED CONSENT CALENDAR ITEMS:

8. AWARD CONSULTANT CONTRACT FOR ENVIRONMENTAL IMPACT ANALYSIS AND DOCUMENT PREPARATION FOR THE "ENCANTO" 52-UNIT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT PROPOSED AT THE SOUTHERLY CORNER OF THE ALTON PARKWAY/ COMMERCENTRE DRIVE INTERSECTION

Council Member Gardner pulled this item for separate consideration. He inquired about the selection of LSA and the need for an economic viability study prior to authorizing the EIR.

Council discussion ensued.

City Attorney Richardson advised that, in order to streamline the application process, the EIR must be done at this time.

ACTION: On motion by Mayor Voigts and second by Council Member Robinson the City Council: 1. Approved the Agreement for Consultant Services in the amount of \$43,295 with LSA Associates, Inc. for environmental impact analysis and document preparation for the "Encanto" 52-unit single-family residential development project. 2. Authorized the Mayor to sign, and the City Clerk to attest the Agreement, with LSA Associates, Inc., substantially in the form attached. MOTION UNANIMOUSLY CARRIED WITH COUNCIL MEMBER NICK ABSENT.

9. MONTHLY TREASURER'S REPORT - JANUARY 2015

Council Member Gardner pulled this item for separate consideration. Director of Finance Neves clarified the investment process for the City.

ACTION: On motion by Council Member Gardner and second by Mayor Voigts the City Council received and filed the report. MOTION UNANIMOUSLY CARRIED WITH VCOUNCIL MEMBER NICK ABSENT.

11. 2015 PURCHASING AND CONTRACTING GUIDELINES

Mayor Pro Tem Hamilton pulled this item for separate consideration. He requested different forms of notification be sent to vendors to in order to facilitate more proposals per project.

Council discussion ensued.

ACTION: On motion by Mayor Voigts and second by Council Member Gardner the City Council approved the proposed 2015 Purchasing and Contracting Guidelines as amended. MOTION UNANIMOUSLY CARRIED WITH COUNCIL MEMBER NICK ABSENT.

16. FOURTH AMENDMENT TO AGREEMENT WITH HARTZOG AND CRABILL

Council Member Gardner pulled this item for separate consideration. City Manager Dunek confirmed that the amount listed in the agreement was the maximum the City would pay for Traffic Engineering Consulting Services

ACTION: On motion by Council Member Gardner and second by Mayor Voigts the City Council: 1. Approved the Fourth Amendment to the Agreement with Hartzog and Crabill Inc., for Traffic Engineering Consulting Services substantially in the form attached. 2. Authorized the Mayor to sign, and the City Clerk to attest, the Fourth Amendment to the agreement with Hartzog and Crabill, Inc. MOTION UNANIMOUSLY CARRIED WITH COUNCIL MEMBER NICK ABSENT.

PUBLIC HEARING:

17. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF A DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY FOR THE MOBIL GAS STATION LOCATED AT 21721 LAKE FOREST DRIVE (CONTINUED FROM DECEMBER 16, 2014)

Mayor Voigts opened the Public Hearing.

Special Counsel Jacqueline Vinaccia gave a brief report regarding recusals and disclosures. She expressed concerns with Council Member Gardner joining the discussion since had recused himself at the previous hearing. Council discussion ensued.

City Manager Dunek presented the staff report and provided answers to four questions raised at the 12/16/14 Public Hearing.

The City Council Members had various questions for the appellant in reference to business status, justification for alcohol sales, store development plans and election sign placement.

Mayor Voigts closed the Public Hearing.

ACTION: On motion by Mayor Voigts and second by Mayor Pro Tem Hamilton the City Council denied the appeal of the Planning Commission's approval of the Determination of Public Convenience or Necessity for the Mobil Gas Station located at 21721 Lake Forest Drive. MOTION CARRIED WITH COUNCIL MEMBER ROBINSON OPPOSED AND COUNCIL MEMBER NICK ABSENT.

DISCUSSION/ACTION ITEMS:

18. DISCUSSION REGARDING THE DEVELOPMENT OF THE FIVE-YEAR STRATEGIC BUSINESS PLAN

City Manager Dunek introduced Deputy City Manager Debra Rose who presented the staff report dated February 17, 2015.

Council discussion ensued.

ACTION: On motion by Mayor Voigts and second by Council Member Hamilton the City Council directed staff to proceed with a 5 year strategic planning session including 2 year goals and creation of a 2 year CIP.

MOTION CARRIED WITH COUNCIL MEMBER GARDNER OPPOSED
AND COUNCIL MEMBER NICK ABSENT.

CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

CITY COUNCIL COMMENTS:

Council Member Gardner offered comments.

Council Member Nick did not offer comments.

Council Member Robinson offered comments.

Mayor Pro Tem Hamilton offered comments.

Mayor Voigts offered comments.

CONTINUED CLOSED SESSION:

There was no continued Closed Session.

ADJOURNMENT:

11:24 p.m.